

Twenty-sixth Judicial District Court, and for the transfer of all cases on the docket of the said criminal district court in Travis County to the Fifty-third and Ninety-sixth Judicial District Courts; to provide for the election of a judge for the Ninety-sixth Judicial District Court; to provide for the appointment of court reporters for the Twenty-sixth, Fifty-third and Ninety-sixth Judicial Districts to confirm and validate all writs, process, bonds, recognizance, judgments, orders of the said criminal district court, transferred hereunder, and the drawing of grand and petit juries in conformance with the changes herein made; to fix the time that this Act shall take effect; and to repeal all laws and parts of laws in conflict herewith."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be printed only in the Journal.

POLLARD, Chairman.

FORTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
Thursday, March 8, 1923.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem R. M. Dudley.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Lewis.	Woods.
McMillin.	

Absent—Excused.

Clark. Rogers.

Prayer by Rev. Dr. Minter of Austin.
Pending the reading of the Journal

of yesterday, the same was dispensed with on motion of Senator Doyle.

Bills and Resolutions.

By Senator Ridgeway:

S. B. No. 431, A bill to be entitled 'An Act to provide for the purchase and conveyance to the State of Texas of the land in the City of San Antonio known as the Ancient Government Palace property, which was the building used as the capitol of the ancient Province of Texas; and for the care and preservation of said property; and appropriating the sum of fifty-seven thousand dollars (\$57,000) to carry out the provisions of this Act.'

Read first time and referred to Committee on Finance.

S. B. No. 107.—House Amendments Concurred In.

Senator Holbrook called up S. B. No. 107 and moved that the Senate concur in the following House amendments:

Amendment No. 1.

Amend line 13 of Section 2 of the original Senate bill by striking out the words four thousand and substituting the words five thousand in lieu thereof and by striking out the figures \$4,000.00 and substituting in lieu thereof the figures \$5,000.00.

Amendment No. 2.

Amend line 8 of Section 4 of the Original Senate bill by striking out the words four thousand and substituting the words five thousand in lieu thereof and by striking out the figures \$4,000.00 and substituting in lieu thereof the figures \$5,000.00.

The Chair laid the bill before the Senate, and the House amendments were concurred in.

H. B. No. 361 on Final Passage.

The Chair laid before the Senate as pending business, on its final passage, H. B. No. 361, regulating license fees on motor vehicles, etc., which was read third time on yesterday and postponed until after the morning call today.

Senator Burkett offered the following amendment to the bill:

Amend caption to H. B. No. 361, by striking out of line 4, page 2, the following: "Authorizing peace officers to detain certain vehicles not properly registered."

The amendment was adopted by unanimous consent.

The roll was called and H. B. No. 361 was finally passed by the following vote:

Yeas—15.

Burkett.	Murphy.
Cousins.	Ridgeway.
Davis.	Strong.
Doyle.	Turner.
Dudley.	Watts.
Floyd.	Witt.
Holbrook.	Wood.
McMillin.	

Nays—11.

Bailey.	Parr.
Baugh.	Rice.
Bledsoe.	Thomas.
Bowers.	Wirtz.
Darwin.	Woods.
Lewis.	

Absent.

Fairchild.	Stuart.
Pollard.	

Absent—Excused.

Clark.	Rogers.
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S. B. No. 40—Free Conference Committee Requested.

Senator Bledsoe called up S. B. No. 40 with House amendments:

Amend Senate Bill 40 by striking out all of Section 14 and insert in lieu thereof the following:

The State Board of Nurse Examiners, by unanimous vote, may make complaint in any court of competent jurisdiction against any registered nurse for revocation of certificate on account of gross incompetence, malpractice, dishonesty, intemperance or any act derogatory to the morals and standing of the profession of nursing, which may be determined by the board; provided, however, the holder thereof shall be entitled to at least ninety days notice in writing of the charges against him or her, as the case may be, and of the time and place of hearing on such charges, at which time and place he or she shall be entitled to be heard and shall have the right to introduce evidence in their own behalf and to examine and cross-examine all witnesses; and, in the event the court shall, upon hearing, decree a revocation of the certificate of said nurse, it shall be the duty

of the secretary of such board to strike out the name of the holder of such certificate from the roll of registered nurses kept by such board.

Amend S. B. No. 40 by striking out the following words in Section 4; "president of the Board of Nurse Examiners and to her successor or successors in office."

And insert in lieu thereof the following: "Governor of the State of Texas and to his successor or successors in office."

Amend S. B. No. 40 by striking out all of Section 15 and insert a new Section 16 to read as follows:

Section 15. All fees received by the State Board of Nurse Examiners under this Act shall be paid into the State Treasury to the credit of the general revenue fund.

Amend S. B. 40 by striking out all of lines 7, 8, and 9 and all of line 10 down to and including the word "provided" and all of line 6 after the word "nurses" Section 3 page 1398 of the Journal.

Amend S. B. No. 40 by striking out all of Section 6 and renumbering the succeeding sections.

Amend S. B. No. 40, by striking out all of line 32 after the word "Board" and by striking out all of lines 16, 17, 18, 19, 20, 21, 22, 23, 24, and all of line 15 after the word "board," Section 4, Journal 1398 and 1399.

Senator Bledsoe moved that the Senate do not concur in the House amendments, but that a free conference committee be requested.

The motion was adopted.

The following committee was appointed on the part of the Senate: Senators Bledsoe, Darwin and Floyd.

S. B. No. 123—Free Conference Committee Requested.

Senator Thomas called up S. B. No. 123, with the following House amendments:

Amend H. B. No. 123 by striking out the following words in section 2: "Who shall receive a salary of thirty-six hundred (\$3600) dollars per year, payable monthly.

Amend S. B. No. 123 by striking out the following words in Section 1: "Who shall receive a salary of "four thousand (\$4000) dollars per year, payable in equal monthly installments.

Senator Thomas moved that the Senate do not concur in the House amendments, but that a free conference committee be requested.

The motion was adopted.

The following committee was appointed on the part of the Senate:

Senators Thomas, Woods, Davis, Pollard and Bowers.

H. B. No. 151 on Second Reading

The Chair laid before the Senate as regular order, on its second reading.

H. B. No. 151, A bill to be entitled, "An Act to amend Articles 7407, 7409, 7414, 7415 and 7416 of the Revised Civil Statutes of the State of Texas of 1911, relative to the taxation of the intangible assets of certain corporations, associations and individuals, and providing for the creation of a State tax board for the valuation of such intangible assets and for the distribution of said values for local taxation and for the assessment of said assets, and the levy and collection of taxes thereon; and to provide for the repeal of all laws and parts of laws laying taxes upon the gross incomes of corporations, associations and individuals affected by the provisions thereof, so that as by this Act amended said articles shall provide that other and additional individuals, corporations, companies and associations be included and made subject to the provisions thereof; fixing the salary of the tax commissioner, and declaring an emergency."

The question being the motion of Senator Strong to reconsider the vote by which the adverse majority committee report was adopted.

Senator Davis moved that further consideration of the bill be postponed indefinitely.

Senator Fairchild moved that the bill be laid on the table subject to call.

Yeas and nays were demanded, and the motion to lay on the table subject to call was lost by the following vote:

Yeas—10.

Bledsoe.	Strong.
Bowers.	Thomas.
Fairchild.	Turner.
Lewis.	Watts.
Pollard.	Wood.

Nays—19.

Bailey.	McMillin.
Baugh.	Murphy.
Burkett.	Parr.
Cousins.	Rice.
Darwin.	Ridgeway.
Davis.	Stuart.
Doyle.	Wirtz.
Dudley.	Witt.
Floyd.	Woods.
Holbrook.	

Absent—Excused.

Clark.	Rogers.
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The question recurred on the motion to postpone indefinitely.

Senator Bailey moved to amend the motion by adding:

"and that the bill be returned to the House."

The amendment was adopted.

Yeas and nays were demanded and the motion to postpone indefinitely was adopted by the following vote:

Yeas—17.

Bailey.	Murphy.
Burkett.	Parr.
Cousins.	Ridgeway.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Watts.
Dudley.	Witt.
Floyd.	Woods.
Holbrook.	

Nays—12.

Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Thomas.
Fairchild.	Turner.
Lewis.	Wirtz.
McMillin.	Wood.

Absent—Excused.

Clark.	Rogers.
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Senator Davis moved to reconsider the vote by which the motion prevailed and table the motion to reconsider.

The motion to table prevailed.

H. B. No. 622—Free Conference Committee Appointed.

The Chair (President Pro Tem) announced the following to serve on the part of the Senate on the conference committee on H. B. No. 622: Wood, Lewis, Wirtz, Strong, Stewart.

S. B. No. 100—Free Conference Committee Requested.

Senator Fairchild called up S. B. No. 100 with the following House Amendments:

Amend Senate Bill No. 100, page 2, line 5 of printed bill by inserting after the word "shall" and before the word "act," the following: "be licensed or act as the agent of any insurance company incorporated under the laws of this or any other State or foreign country or."

Amend (committee) amendment by adding thereto immediately following the word "country," the following: "or represent any insurance company, association, inter-insurance exchange or Lloyds for the transaction of insurance business in this State or exchanging insurance among its subscribers."

Amend caption of Senate bill No. 100 by inserting after the word "shall" and before the word "act" the following: "be licensed as the agent of any insurance company incorporated under the laws of this or any foreign country or."

Senator Fairchild moved that the Senate do not concur in the House amendments, but that a free conference committee be requested.

Senator Floyd moved that the Senate do concur in the House amendments.

Question: Shall the House amendments be concurred in by the Senate?

The roll was called, and the motion to concur in the House amendments was lost by the following vote:

Yeas—13.

Bowers.	Parr.
Burkett.	Ridgeway.
Darwin.	Strong.
Doyle.	Watts.
Dudley.	Witt.
Floyd.	Woods.
Murphy.	

Nays—15.

Bailey.	McMillin.
Baugh.	Pollard.
Bledsoe.	Rice.
Cousins.	Stuart.
Davis.	Thomas.
Fairchild.	Wirtz.
Holbrook.	Wood.
Lewis.	

Present—Not Voting.

Turner.

Absent—Excused.

Clark.

Rogers.

Question then recurred on the motion of Senator Fairchild that the Senate refuse to concur in the House Amendments, and that a free conference committee be requested.

The motion prevailed.

Simple Resolution No. 85.

By Senator Cousins:

Whereas, on January 23, 1923, the Honorable Allison Mayfield, Chairman of the Railroad Commission of Texas, a man of distinguished public service and one whose heart always beat in sympathy with the people of Texas and whose every acts were prompted by the highest patriotic impulses, departed this life; and,

Whereas, in the passing of this outstanding figure the people of Texas lost a friend, a distinguished public servant and an upright and faithful officer and a man that all Texas knew and had confidence in, and one whom all Texas mourn his loss; therefore, be it

Resolved, by the Senate of the State of Texas that we extend to the bereaved family our heartfelt sympathy; that we invoke the blessings of the Master who rules all things in their behalf and that we know that Allison Mayfield's memory will last as long as the history of Texas will be remembered; and be it further resolved that this resolution be recorded and published in the Senate Journal as evidence of our esteem and the esteem of all the people of Texas, and that a copy of the Senate Journal be forwarded to his family at Sherman, Texas, and also to the Railroad Commission of Texas with the request that same be recorded in the minutes of the Railroad Commission; so that when we who are here now have crossed into that great beyond from whose bourne no traveler has yet returned, that this document will be there as evidence of the greatness of this man as long as this manuscript shall last.

COUSINS,
McMILLIN,
DOYLE.

The resolution was read, and on motion of Senator McMillin was unanimously adopted by a rising vote.

S. B. No. 197—House Amendments Concurred In.

Senator Witt called up S. B. No. 197 and moved that the Senate con-

cur in the following House amendments:

Amend S. B. 197, page 1303 of the House Journal by striking out the word "Bell" from subsection (10) ten of Section (1) one of the bill and insert the word (Bell) in subsection (3) three of Section 1 of the bill.

Amend S. B. No. 197 on pages 1303 and 1304 of the Journal by striking out all of Section 4a.

The Chair laid the bill before the Senate.

Senator Witt moved that the Senate concur in the House Amendments.

Senator Murphy moved that the Senate do not concur in the House amendments, and that a free conference committee be requested.

Senator Witt moved to table the motion to not concur.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—21.

Bailey.	McMillin.
Bledsoe.	Parr.
Bowers.	Rice.
Burkett.	Ridgeway.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Turner.
Doyle.	Witt.
Dudley.	Wood.
Fairchild.	Woods.
Holbrook.	

Nays—4.

Baugh.	Pollard.
Murphy.	Wirtz.

Present—Not Voting.

Lewis.	Thomas.
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Absent.

Floyd.	Watts.
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Absent—Excused.

Clark.	Rogers.
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Question then recurring on the motion to concur in the House amendments, it prevailed.

H. R. No. 18 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading.

H. R. No. 18, A bill to be entitled

"An Act to amend Chapter 2 of Title 98, Revised Statutes of Texas, 1911, by adding thereto Article 6057a, providing that in addition to other methods provided in said Chapter for the removal of officers they may be removed by quo warranto proceedings brought by the Attorney General upon direction of the Governor, making the provisions of said Chapter applicable to proceedings hereunder except where in conflict; providing that the district judge may temporarily suspend an officer against whom the petition is filed and appoint a person to discharge the duties of the office who shall not be required to give bond as provided in Article 6049; providing that the suspended officer shall receive the salary, compensation or fees until final judgment removing him, and that such salary, fees or compensation collected by the temporary officer shall be paid to the suspended officer, and that during appeal from a judgment removing an officer such salary, fees and compensation shall not be received by him unless he gives a supersedeas bond therefor, and that an appeal shall not suspend the order temporarily removing such officer; providing that the temporary officer shall receive the same salary or compensation provided by law to be paid by the State out of an appropriation to the Governor for the enforcement of the law; fixing jurisdiction and venue for such suits, and declaring an emergency."

The bill was read the second time.

Question: Shall H. B. No. 18 be passed to third reading?

Recess.

On motion of Senator Darwin, the Senate at 11:50 a. m. recessed until 2 p. m. today.

Afternoon Session.

The Senate met at 2 p. m. and was called to order by President Pro Tem R. M. Dudley.

Simple Resolution No. 86.

Senate Chamber,

Austin, Texas, March 8, 1923.

By Senator Wood:

Whereas, Hon. J. L. Pee'ler, former

member of this body, is now in the Chamber and desires to extend an invitation on behalf of the citizens of Austin. Therefore, be it

Resolved, That he be invited to address the Senate.

The resolution was read and adopted.

Col. Peeler briefly addressed the Senate and invited the Senate to a barbecue at Camp Mabry on tomorrow.

On motion of Senator McMillin, the invitation was unanimously accepted.

H. B. No. 18—Passage to Third Reading.

The Senate resumed consideration of pending business, the same being H. B. No. 18, providing for the removal of officers for failure or neglect to perform their official duties, the same having been read second time on this morning.

Senator Bailey moved that further consideration of the bill be postponed until next Monday.

Senator Bowers moved to table the motion to postpone.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—10.

Baugh.	Pollard.
Bledsoe.	Turner.
Bowers.	Watts.
Davis.	Witt.
Lewis.	Woods.

Nays—11.

Bailey.	Parr.
Darwin.	Rice.
Doyle.	Ridgeway.
Dudley.	Strong.
McMillin.	Wirtz.
Murphy.	

Absent.

Holbrook.	Thomas.
Stuart.	

Rogers.

(Pairs Recorded.)

Senator Wood (present), who would vote yea; with Senator Clark (absent), who would vote nay.

Senator Cousins (present), who would vote yea; with Senator Fairchild (absent), who would vote nay.

Senator Burkett (present), who would vote yea; with Senator Floyd (absent), who would vote nay.

Question then recurred on the motion to postpone.

Yeas and nays were demanded, and the motion to postpone was lost by the following vote:

Yeas—8.

Bailey.	Murphy.
Darwin.	Parr.
Dudley.	Rice.
McMillin.	Wirtz.

Nays—13.

Baugh.	Pollard.
Bledsoe.	Ridgeway.
Bowers.	Turner.
Davis.	Watts.
Doyle.	Witt.
Holbrook.	Woods.
Lewis.	

Present—Not Voting.

Strong.

Absent.

Stuart.

Thomas.

Absent—Excused.

Rogers.

(Pairs Recorded.)

Senator Burkett (present), who would vote nay; with Senator Floyd (absent), who would vote yea.

Senator Wood (present), who would vote nay; with Senator Clark (absent), who would vote yea.

Senator Cousins (present), who would vote nay; with Senator Fairchild (absent), who would vote yea.

Senator Wirtz moved to adopt the minority report that the bill do not pass.

Senator Bledsoe moved to adopt the minority report signed by himself and others that the bill do pass.

Yeas and nays were demanded, and the motion by Senator Bledsoe was adopted by the following vote:

Yeas—16.

Baugh.	Lewis.
Bledsoe.	Pollard.
Bowers.	Rice.
Cousins.	Ridgeway.
Davis.	Strong.
Doyle.	Turner.
Fairchild.	Watts.
Holbrook.	Witt.

Nays—7.

Bailey.	Dudley.
Darwin.	McMillin.

Murphy. Wirtz.
Parr. Absent.

Stuart. Woods.
Thomas. Absent—Excused.
Rogers. (Pairs Recorded.)

Senator Wood (present), who would vote yea; with Senator Clark (absent), who would vote nay.

Senator Burkett (present), who would vote yea; with Senator Floyd (absent), who would vote nay.

Senator Wirtz offered the following amendment to the bill:

Amend H. B. No. 18 by striking out of Article 6057a the clause in the second sentence of said Article, reading as follows:

"In any district court of the judicial district or any adjoining judicial district in which such officer resides," and in lieu thereof insert the following: "In the district court of the county in which such officer resides," and by striking out the whole of the sentence of said Article 6057a, reading as follows: "Jurisdiction and venue are hereby conferred upon any district court of the judicial district or any adjoining judicial district in which the officer resides, for the trial of cases brought under this Article of this Chapter."

Senator Pollard moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—15.

Baugh.	Lewis.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Turner.
Cousins.	Watts.
Davis.	Witt.
Doyle.	Woods.
Floyd.	

Nays—10.

Bailey.	McMillin.
Darwin.	Murphy.
Dudley.	Parr.
Fairchild.	Stuart.
Holbrook.	Wirtz.

(Pairs Recorded.)

Senator Strong (present), who would vote yea; with Senator Thomas (absent), who would vote nay.

Senator Wood (present), who would vote yea; with Senator Clark (absent), who would vote nay.

Senator Pollard (present), who would vote yea; with Senator Rogers (absent), who would vote nay. Authority on telegram to Senator Wirtz from Rogers.

Senator Strong offered the following amendment to the bill:

Amend H. B. No. 18 by striking out the words beginning with "any," line 30, page 2, and ending with the word "resides," line 31, page 2, and insert in lieu thereof the following: "the district court of the county such officer has his legal residence or in the district court of any adjoining county."

And amend H. B. No. 18 by striking out the words beginning with "jurisdiction," line 30, page 3 and ending with the word "resides," line 32, page 3 and insert in lieu thereof the following: "jurisdiction and venue are hereby conferred upon the district court of the county where such officer has his legal residence or the district court of any adjoining county."

Yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—12.

Bailey.	McMillin.
Burkett.	Murphy.
Darwin.	Parr.
Dudley.	Strong.
Fairchild.	Stuart.
Holbrook.	Wirtz.

Nays—13.

Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Turner.
Cousins.	Watts.
Davis.	Witt.
Doyle.	Woods.
Lewis.	

(Pairs Recorded.)

Senator Wood (present), who would vote nay; with Senator Clark (absent) who would vote yea.

Senator Floyd (present), who would vote nay; with Senator Thomas (absent), who would vote yea.

Senator Ridgeway (present), who would vote nay; with Senator Rogers (absent), who would vote yea.

Senator Wirtz offered the following amendment to the bill:

Amend H. B. No. 18 by adding Section 1a to read as follows:

"Provided that said quo warranto proceedings can only be commenced on the sworn petition of 50 freeholders and voters of the county where said officer resides."

Senator Woods offered the following amendment to the amendment:

Amend the amendment by making the number of citizens making affidavit 10, instead of 50.

Senator Floyd offered the following substitute for the amendment to the amendment:

Amend by striking out the word "ten" and in lieu thereof, add "twenty-five."

Question: Shall the substitute for the amendment be adopted?

Recess.

The hour of 5 o'clock having arrived, the President Pro Tem announced that under the resolution of the caucus adopted by the Senate, the Senate was automatically recessed until 7:30 p. m. today.

Night Session.

The Senate met at 7:30 p. m. and was called to order by President Pro Tem R. M. Dudley.

H. B. No. 375 on Third Reading.

The Chair laid before the Senate as regular order, on third reading and final passage,

H. B. No. 375, A bill to be entitled "An Act creating the Carlton Independent School District in Eastland County, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges, duties and liabilities now conferred and imposed by the General Laws of Texas upon independent school districts, and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—21.

Baugh.	McMillin.
Bledsoe.	Murphy.
Bowers.	Pollard.
Burkett.	Rice.
Darwin.	Ridgeway.
Davis.	Strong.
Doyle.	Turner.
Dudley.	Wirtz.
Fairchild.	Wood.
Holbrook.	Woods.
Lewis.	

Absent.

Bailey.	Stuart.
Cousins.	Thomas.
Floyd.	Watts.
Parr.	Witt.

Absent—Excused.

Clark.	Rogers.
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H. B. No. 502 on Third Reading.

The Chair laid before the Senate as regular order, on third reading and final passage.

H. B. No. 502, A bill to be entitled "An Act to authorize the commissioners' courts of Hudspeth and Culberson Counties, Texas, each to make contracts not in excess of seventy-five dollars per month for services to be performed by the district attorney of the Thirty-fourth Judicial District of Texas."

The bill was read third time and passed by the following vote:

Yeas—23.

Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Cousins.	Ridgeway.
Davis.	Strong.
Doyle.	Turner.
Dudley.	Wirtz.
Fairchild.	Witt.
Floyd.	Wood.
Holbrook.	Woods.
McMillin.	

Absent.

Bailey.	Stuart.
Darwin.	Thomas.
Lewis.	Watts.

Absent—Excused.

Clark.	Rogers.
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H. B. No. 616 on Third Reading.

The Chair laid before the Senate as regular order, on third reading and final passage,

H. B. No. 616, A bill to be entitled "An Act creating the Union Hill Independent School District in Swisher County, Texas, defining its boundaries; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts; and the election of its first board of trustees and their successors; providing for the appointment of a local board of equalization and tax assessor and collector for said district, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—22.

Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Cousins.	Ridgeway.
Davis.	Strong.
Doyle.	Turner.
Dudley.	Wirtz.
Fairchild.	Witt.
Holbrook.	Wood.
McMillin.	Woods.

Absent.

Bailey.	Stuart.
Darwin.	Thomas.
Floyd.	Watts.
Lewis.	

Absent—Excused.

Clark.	Rogers.
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H. B. No. 644 on Third Reading.

The Chair laid before the Senate as regular order, on third reading and final passage,

H. B. No. 644, A bill to be entitled "An Act correcting the boundaries of the present Hale Center Independent School District; providing for payment of bonds issued by the present district, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—24.

Baugh.	McMillin.
Bledsoe.	Murphy.
Bowers.	Parr.
Burkett.	Pollard.
Cousins.	Rice.
Darwin.	Ridgeway.
Davis.	Strong.
Doyle.	Turner.
Dudley.	Wirtz.
Fairchild.	Witt.
Floyd.	Wood.
Holbrook.	Woods.

Absent.

Bailey.	Thomas.
Lewis.	Watts.
Stuart.	

Absent—Excused.

Clark.	Rogers.
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H. B. No. 425.

On motion of Senator Woods, H. B. No. 425 was ordered not printed.

H. B. No. 651 on Third Reading.

The Chair laid before the Senate, as regular order, on third reading and final passage,

H. B. No. 651, A bill to be entitled "An Act to create the Denson Independent School District in Williamson County, Texas, including the present Denson School District of said county, providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights and powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the present Denson School District shall continue to act as such until their successors are elected and qualified in accordance with the General Laws of Texas, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—24.

Baugh.	Darwin.
Bledsoe.	Davis.
Bowers.	Doyle.
Burkett.	Dudley.
Cousins.	Fairchild.

Floyd.	Ridgeway.
Holbrook.	Strong.
McMillin.	Turner.
Murphy.	Wirtz.
Parr.	Witt.
Pollard.	Wood.
Rice.	Woods.

Absent.

Bailey.	Thomas.
Lewis.	Watts.
Stuart.	

Absent—Excused.

Clark.	Rogers.
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H. B. No. 652 on Third Reading.

The Chair laid before the Senate as regular order, on its third reading and final passage,

H. B. No. 652, A bill to be entitled "An Act to create the Knox City Independent School District in Knox County, Texas, including the present Knox City District of said county, providing for a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas, providing that the board of trustees of the present Knox City District shall continue to act as such until their successors are elected in accordance with the General Laws of Texas, providing for the extension of the boundaries of said district, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—25.

Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Cousins.	Ridgeway.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Turner.
Dudley.	Wirtz.
Fairchild.	Witt.
Floyd.	Wood.
Holbrook.	Woods.
McMillin.	

Absent.

Bailey.	Thomas.
Lewis.	Watts.

65—Senate

Absent—Excused.

Clark.	Rogers.
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H. B. No. 660 on Third Reading.

The Chair laid before the Senate as regular order, on its third reading and final passage,

H. B. No. 660, A bill to be entitled "An Act creating and incorporating Lakeview Independent School District in Dawson County, Texas, out of territory now comprising Lakeview Common School District No. 25; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualification, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Lakeview Independent School District shall assume and discharge any and all bonds and other indebtedness constituting valid and binding obligations of said Lakeview Common School District No. 25 of Dawson County validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that title to any and all property of said common school district shall vest in the trustees of independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the General Laws of Texas in all matters where this Act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this Act shall not invalidate any remaining provisions thereof, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—25.

Baugh.	Davis.
Bledsoe.	Doyle.
Bowers.	Dudley.
Burkett.	Fairchild.
Cousins.	Floyd.
Darwin.	Holbrook.

McMillin.	Stuart.
Murphy.	Turner.
Parr.	Wirtz.
Pollard.	Witt.
Rice.	Wood.
Ridgeway.	Woods.
Strong.	

Absent.

Bailey.	Thomas.
Lewis.	Watts.

Absent—Excused.

Clark.	Rogers.
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H. B. No. 674 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

H. B. No. 674, A bill to be entitled "An Act exempting Travis County for a period of two years from the provisions of Chapter 12, Section 3, Acts of 1917, Third Called Session, as amended by Chapter 87, Section 3, Acts 1918, Fourth Called Session, and providing for an emergency."

The bill was read second time, the committee report that the bill be not printed was adopted, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the bill was then passed to third reading.

H. B. No. 633 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

H. B. No. 633, A bill to be entitled "An Act making it an offense for any person to kill, take or have in his possession wild quail within the period of five years from the passage of this Act in the counties of Medina, Uvalde, Zavala, Dimmitt, Kinney or Val Verde; prescribing penalties for violation of this Act, and declaring an emergency."

The bill was read second time, and on motion of Senator Wood, was laid on the table subject to call.

H. B. No. 634 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

H. B. No. 634, A bill to be entitled

"An Act to regulate the killing of deer in the counties of Terrell, Val Verde and Kinney; defining offenses and prescribing penalties for the violation thereof, and declaring an emergency."

The bill was read the second time, and on motion of Senator Wood, was laid on the table subject to call.

H. B. No. 635 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

H. B. No. 635, A bill to be entitled "An Act to regulate the killing of deer in the counties of Uvalde, Medina, Zavala and Dimmitt; defining offenses and prescribing for the violation thereof, and declaring an emergency."

The bill was read the second time, and on motion of Senator Wood, was laid on the table subject to call.

H. B. No. 631 on Second Reading.

The Chair laid before the Senate as regular order, on second reading,

H. B. No. 631, A bill to be entitled "An Act to regulate the killing of deer in the counties of Culberson, Hudspeth and El Paso; defining offenses and prescribing penalties for the violation thereof, and declaring an emergency."

The bill was read second time and on motion of Senator Wood, was laid on the table subject to call.

H. B. No. 632 on Second Reading.

The Chair laid before the Senate as regular order, on second reading,

H. B. No. 632, A bill to be entitled "An Act to regulate the killing of deer in the counties of Reeves, Pecos, Jeff Davis; defining offenses and prescribing penalties for the violation thereof, and declaring an emergency."

The bill was read second time, and on motion of Senator Wood, was laid on the table subject to call.

H. B. No. 643 on Second Reading.

The Chair laid before the Senate

as regular order, on its second reading.

H. B. No. 643, A bill to be entitled "An Act creating the Brownsboro Independent School District in Henderson County, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges, duties and liabilities now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect; and declaring an emergency."

The bill was read the second time, the committee report that the bill be not printed was adopted, and it was passed to third reading.

S. B. No. 429 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 429, A bill to be entitled "An Act to amend an Act passed by the Thirty-fourth Legislature of Texas, at its Regular Session and approved February 18th, 1915, which Act was House Bill No. 177, Chapter 17, of the said session of the said Legislature, amending Sections 26, and 53, of Art. 30, of the Revised Civil Statutes of Texas, 1911; to reorganize the Twenty-sixth Judicial District of Texas; to abolish the criminal District Court of Travis and Williamson Counties; to create the Ninety-sixth Judicial District of Texas; to fix and define the jurisdiction of the Twenty-sixth, Fifty-third and Ninety-sixth Judicial Districts of Texas; to fix time for holding of courts in each of the said judicial districts; to provide for the organization of grand juries in each of the courts held in the said judicial districts; to provide for a district attorney for the counties of Travis and Williamson; and fixing his compensation; to provide for the transfer of the causes pending on the docket of the said criminal district court in Williamson County to the Twenty-sixth Judicial District Court, and for the transfer of all cases on the docket of the said criminal district court in Travis County to the Fifty-

third and Ninety-sixth Judicial District Courts; to provide for the election of a judge for the Ninety-sixth Judicial District Court; to provide for the appointment of court reporters for the Twenty-sixth, Fifty-third and Ninety-sixth Judicial Districts; to confirm and validate all writs, process, bonds, recognizance, judgments, orders of the said criminal district court, transferred hereunder, and the drawing of grand and petit juries in conformance with the changes herein made; to fix the time that this Act shall take effect; and to repeal all laws and parts of laws in conflict herewith."

The bill was read second time, the committee report, that the bill be printed in the Journal was adopted.

Senator Wood offered the following amendments to the bill:

Amend Senate Bill No. 429 by striking out all above the enacting clause and inserting in lieu thereof the following:

S. B. No. 429, A bill to be entitled "An Act to amend an Act passed by the Thirty-fourth Legislature of Texas, at its Regular Session, and approved February 18, 1915, which Act was House Bill No. 177, Chapter 17, of the said session of the said Legislature, amending Sections 26 and 53, of Article 30, of the Revised Civil Statutes of Texas, 1911; to reorganize the Twenty-sixth Judicial District of Texas; to reorganize the Criminal District Court of Travis and Williamson Counties by limiting its jurisdiction; to fix and define the jurisdiction of the Twenty-sixth and Fifty-third Judicial Districts of Texas; to fix and define the jurisdiction of the Criminal District Court of Travis County and changing the name of said district from the 'Criminal District Court of Travis and Williamson County' to the 'Criminal District Court of Travis County'; to fix the terms of each of said courts; to provide for the organization of grand juries in the Twenty-sixth Judicial District and in the Criminal District Court of Travis County; to provide for a district attorney for the counties of Travis and Williamson, and fixing his compensation and duties; to provide for the transfer of all cases pending on the docket of the said criminal district court in Williamson County to the Twenty-sixth Judicial District Court and for the transfer of all cases on the docket of the Twenty-sixth Judicial District in Travis to the Fifty-third Judicial Dis-

trict Court; to provide for the continuance of the judges of said courts in office for the terms for which they were elected and to provide for the election of a judge of the Criminal District Court of Travis County; to provide for the appointment of court reporters for each of said courts; to confirm and validate all writs, process, bonds, recognizance, judgments, orders of said Criminal District Court, transferred hereunder, and the drawing of grand and petit juries in conformance with the changes herein made; providing that the judge of the Criminal District Court of Travis County may certify and transfer either civil or criminal cases to the Fifty-third Judicial District and that the judge of the Fifty-third Judicial District may certify and transfer civil cases to the Criminal District Court of Travis County for trial: to fix the time that this Act shall take effect and to repeal all laws and parts of laws in conflict herewith; and declaring an emergency."

Amend Senate Bill No. 429 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That the Act of the Thirty-fourth Legislature of Texas, passed at its Regular Session and approved February 18, 1915, which Act was House Bill No. 177, Chapter 17, of the said Thirty-fourth Legislature, amending Sections 26 and 53 of Article 30 of the Revised Civil Statutes of Texas, 1911, be and the same is hereby amended so as to hereafter read as follows:

Sec. 2. The Twenty-sixth Judicial District of Texas shall be composed of the county of Williamson, and when this Act takes effect its term for the trial of civil and criminal causes shall be held as follows: On the first Monday in January, and may continue in session to and including the last Saturday in February; on the first Monday in March and may continue in session to and including the last Saturday in April; on the first Monday in May and may continue in session to and including the last Saturday in June; on the first Monday in September and may continue in session to and including the last Saturday in October; on the first Monday in November and may continue in session to and including the last Saturday in December.

Sec. 3. That the District Court for the Twenty-sixth Judicial District shall have jurisdiction throughout the limits

of Williamson County in all matters civil and criminal, of which jurisdiction is given to district courts under the constitution and laws of the State of Texas.

Sec. 4. The Fifty-third Judicial District shall be composed of the county of Travis and when this Act shall take effect the terms of the said district court thereafter shall be held as follows: On the first Monday in January and may continue in session until and including the last Saturday before the first Monday in March; on the first Monday in March and may continue in session to and including the last Saturday before the first Monday in May; on the first Monday in May and may continue in session to and including the last Saturday in July; provided, that the said term may by order of the court entered in the minutes be continued for such time as may be fixed by said order; on the first Monday in October, and may continue in session until the last Saturday before the 25th day of December.

Sec. 5. The Criminal District Court of Travis and Williamson Counties, as now created by law, shall, when this bill takes effect, be known as the Criminal District Court of Travis County, Texas, and shall exercise, have and enforce all the powers and jurisdiction which it now has within and for Travis County, and in addition thereto, shall have and exercise all of the jurisdiction, powers, and functions of a district court under the Constitution and laws of the State of Texas; provided, however, that it shall not exercise or have any jurisdiction or powers as such, other than is incident to a district court of general jurisdiction, it being the purpose of this Act to take Williamson County out of the district of said criminal district court as now organized, and confine its jurisdiction exclusively to Travis County. The said criminal district court, when this bill becomes effective, shall have the right and power to certify and transfer to the Fifty-third Judicial District Court either civil or criminal cases, and the Fifty-third Judicial District Court shall have the right to certify and transfer to the Criminal District Court of Travis County for trial of civil cases. Civil cases may be filed or instituted in either the Criminal District Court of Travis County or in the Fifty-third Judicial District Court in Travis County, and both of said courts, or either of them, shall have the right, power and jurisdiction to try either

civil or criminal cases within its jurisdiction under the Constitution and general laws of the State. The Criminal District Court of Travis County shall continue, as now provided by law, to select jury commissioners and empanel grand juries and exercise all of the other powers, functions and jurisdiction now conferred upon it by law, it being the purpose of this Act not to repeal the Act hereby amended, otherwise than is herein specifically done, and this Act is in addition to and cumulative of the Act hereby amended.

Sec. 5a. That the Criminal District Court of Travis County shall hold its terms at the following time, to-wit: On the first Monday in February and may continue in session to and including the last Saturday in March; on the first Monday in April and may continue in session to and including the last Saturday in May; on the first Monday in June and may continue in session to and including the last Saturday in August; on the first Monday in October and may continue in session to and including the last Saturday in November; on the first Monday in December and may continue in session to and including the last Saturday in January.

Sec. 6. The district clerk of Travis County shall be the clerk of the district courts for the Fifty-third Judicial District and of the Criminal District Court of Travis County and shall perform all of the duties of clerk of the said two courts.

Sec. 7. That the judges heretofore elected and hereafter elected as judges for the Twenty-sixth and Fifty-third Judicial Districts, under existing laws, shall continue as the judges of the said respective courts and their successors shall be elected under existing laws.

Sec. 8. That at the general election, next preceding the taking effect of this Act, there shall be elected, a district judge for the Criminal District Court of Travis County, who shall qualify as soon as the Act takes effect, and his term of office shall be four years, and he shall continue in office until his successor is elected and qualified.

Sec. 9. That upon the taking effect of this Act, the respective judges of each of the said three district courts shall, each for his respective court, appoint an official court reporter who shall have the qualifica-

tions and be subject to the same regulations and receive the same compensation as is now, or may hereafter be, fixed by law, for court reporters in district courts.

Sec. 10. That at the general election next preceding the taking effect of this Act, there shall be elected a district attorney for the counties of Travis and Williamson who shall hold office for a term of two years and until his successor is elected and qualified. That the said district attorney shall possess the qualifications and receive the compensation fixed by law for the office of district attorney; and it shall be his duty to represent the State of Texas in all courts in Travis and Williamson Counties in all matters pertaining to the duties of the office of district attorney.

Sec. 11. Grand juries for the Criminal District Court of Travis County shall be organized at each of the terms of said court and grand juries for the Twenty-sixth Judicial District Court shall be organized at the January, May and September terms of the said court; provided, however, that the judge of the district court for the Twenty-sixth Judicial District may, when deemed necessary, organize and empanel grand juries at any other term of said court by entering an order therefor.

Sec. 12. That upon the taking effect of this Act, the district clerk of Travis County shall transfer all causes pending in the said county on the docket of the Twenty-sixth Judicial District Court to the Fifty-third Judicial District Court; that all causes so transferred shall be disposed of as though originally filed in the court to which they were so transferred.

Sec. 13. That upon the taking effect of this Act the district clerk of Williamson County shall transfer all causes pending on the docket of the said Criminal District Court in Williamson County to the docket of the Twenty-sixth Judicial District Court; and that all causes so transferred shall be disposed of as though originally filed in the said court to which they were so transferred.

Sec. 14. Either judge of the Fifty-third Judicial District or the Criminal District Court of Travis County may, in his discretion, at any time, transfer any cause on the docket of his court

to the other district court in Travis County, and when the said transfer is so made the said cause so transferred shall be disposed of by the Court to which the same was transferred as though originally filed in the said Court.

Sec. 15. All writs, processes, bonds, recognizances and orders in civil and criminal cases and matters, issued, executed, entered into, or required prior to the taking effect of this Act, in the Twenty-sixth Judicial District Court, and in the Criminal District Courts of Travis and Williamson Counties, respectively, and returnable to terms of said Courts, as heretofore fixed by law, in the Counties of Travis and Williamson, are hereby made returnable to the next ensuing terms of the respective Courts to which they are required to be transferred, under the provisions of this Act, and shall be valid and binding as if no change had been made in said Courts, or in the times of holding same; and all juries drawn and selected under existing laws shall be as valid as if no change had been made in said Courts or in the time of holding same; and at the last term of the Criminal District Court for Travis and Williamson Counties held in Williamson and Travis Counties, under existing laws, the Judge of the said Criminal District Court shall provide for the drawing and selection of a grand jury for the proper terms of Court in Travis and Williamson Counties, to be held after this Act takes effect; and the said petit and grand juries so drawn and selected shall be required to appear and serve and their Acts shall be valid as if no change had been made in their Courts, or in the times of holding said Courts.

This Act shall not be construed to in anywise or in any manner effect judgments or orders rendered or made in the Twenty-sixth Judicial District Court in Travis County, or rendered or made in the Criminal Court for Travis and Williamson Counties, in either of said Counties, prior to the taking effect of this Act; but it is provided that after this Act becomes effective as a law the Twenty-sixth Judicial District shall have jurisdiction of all judgments, orders and matters over which the Criminal District Court for Travis and Williamson Counties had or could exercise jurisdiction in Williamson County under the law as it now exists; and

after this Act becomes effective as a law the Fifty-third Judicial District Court and the Criminal District Court of Travis County shall have jurisdiction of all judgments, orders and matters over which the Criminal District Court for Travis and Williamson Counties and the Twenty-sixth Judicial District had or could exercise jurisdiction in Travis County, under the law as it now exists.

Sec. 17. It is provided that this Act shall take effect and be in force on and after January first, 1925.

Sec. 20. That all laws and parts of laws in conflict herewith be, and the same are hereby, repealed.

Sec. 21. The crowded condition of the calendar, together with the near approach of the end of this session of the Legislature and the fact that without the reorganization of these Courts, as above defined, would entail great hardship upon litigents and bring about the congestion of the dockets of these Courts from which there would be no relief, creates an emergency and an imperative public necessity requiring that the constitutional rule requiring that bills be read on three several days be suspended and the same is hereby suspended, to the end that this Act may become effective as hereinbefore provided.

The amendments were adopted.

The bill was then passed to engrossment.

S. B. No. 429 on Third Reading.

On motion of Senator Wood the constitutional rule requiring bills to be read on three several days in each House was suspended and S. B. No. 429 was put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Strong.
Cousins.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Dudley.	Wirtz.
Fairchild.	Witt.
Holbrook.	Wood.
McMillin.	Woods.
Murphy.	

Absent.

Floyd.

Lewis.

Absent—Excused.

Clark.

Rogers.

The Chair then laid S. B. No. 429 before the Senate on its third reading and final passage.

The bill was read third time and passed.

S. B. No. 70 on Third Reading.

On motion of Senator Holbrook, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 70, A bill to be entitled, "An Act to provide an old age pension system for resident citizens over the age of seventy years; providing for the administration of the system through the county commissioners court of the various counties in the state and requiring the payment of the old age pension and the expense of the administration from the general revenues of the county of which the applicant is a resident; prescribing the qualifications of an applicant for a pension under the act and permitting the discontinuance of the pension on conviction of an offense or upon evidence of changed status of the pensioner; and fixing the punishment of any applicant or other person violating any of the provisions of the act, defining certain terms used in the act and identifying the measure as the Old Age Pension Act of the State of Texas."

The Chair laid S. B. No. 70 before the Senate on its third reading and final passage.

The bill was read third time and passed.

H. B. No. 537 on Second Reading.

On motion of Senator Davis, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

H. B. No. 537, A bill to be entitled "An Act to provide for the designation of district judges to hold special terms of court in the various judicial districts of the state when accumulation or urgency of business of the public interest justify or require such designation; providing for the

manner of designation, and providing further for the appointment of a clerk by the Supreme Court, prescribing his duties and fixing his salary; and prescribing the manner in which reports shall be made by the various district courts to the Supreme Court showing the condition of the dockets of the various district courts, and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time, and was passed to third reading.

H. B. No. 537 on Third Reading.

On motion of Senator Davis the constitutional rule requiring bills to be read on three several days in each House was suspended and S. B. No. 537 was put upon its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Cousins.	Strong.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Dudley.	Wirtz.
Fairchild.	Witt.
Holbrook.	Wood.
McMillin.	Woods.

Absent.

Bowers.	Pollard.
Floyd.	Stuart.
Lewis.	

Absent—Excused.

Clark.	Rogers.
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The Chair then laid H. B. No. 537 before the Senate on its third reading and final passage.

The bill was read third time and passed.

S. B. No. 239 on Third Reading.

On motion of Senator Murphy, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 239, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office of the State of Texas to issue an oil and gas lease to Mrs. Virgie D. Hardee,

for a term of five years, and subject to renewal for ten years if oil or gas should be found in paying quantities, upon the seventy-six and one-half acres in San Jacinto Bay, Harris County, that was heretofore included in oil and gas permit No. 2168, issued by the Commissioner of the General Land Office to the said Mrs. Hardee on August 2, 1917, and to H. M. Holden, his heirs or assigns, for a like term of five years upon the 703.86 acres in Nueces Bay, Nueces County, that was heretofore included in oil and gas permit No. 2168, issued by the Commissioner of the General Land Office to the said Holden on October 17, 1919, and to R. L. Garrett, his heirs or assigns, for a like term of five years upon the 991.48 acres in Nueces Bay, Nueces County, Texas, that was heretofore included in oil and gas permit number 5246, issued by the Commissioner of the General Land Office to the said Garrett on October 17, 1919, conditioned that the respective owners of said leases shall pay to the General Land Office, in advance each of the five years, for the benefit of the Available School Fund, a sum of money equal to twenty-five cents per acre for the first year; fifty cents per acre for the second year; seventy-five cents per acre for the third year and one dollar per acre for the fourth and fifth years, provided no further sum per acre shall be paid after oil and gas shall have been developed in paying quantities and a royalty begins to be paid and continues to be paid monthly, equal to one-eighth of the value of the gross production of oil and gas, providing for forfeiture and reinstatement, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

The Chair laid S. B. No. 239 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—24.

Bailey.	Davis.
Baugh.	Doyle.
Bledsoe.	Dudley.
Burkett.	Fairchild.
Cousins.	Holbrook.
Darwin.	McMillin.

Murphy.	Turner.
Parr.	Watts.
Rice.	Wirtz.
Ridgeway.	Witt.
Strong.	Wood.
Thomas.	Woods.

Absent.

Bowers.	Pollard.
Floyd.	Stuart.
Lewis.	

Absent—Excused.

Clark.	Rogers.
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H. B. No. 495 on Second Reading.

On motion of Senator Bailey, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

H. B. No. 495, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 35 of the Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 105 of the Acts of the Regular Session of the Thirty-sixth, and Chapter 50 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, and Chapter 32 of the General Laws of the Regular Session of the Thirty-seventh Legislature, and Chapter 10 of the General Laws of the First Called Session of the Thirty-seventh Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include Leon, Refugio and Fort Bend Counties.

The Chair laid the bill before the Senate, it was read second time, and on motion of Senator Bailey, was laid on the table subject to call.

S. B. No. 259 on Second Reading.

On motion of Senator Bledsoe, by unanimous consent, the regular order of business was suspended and the

Senate took up out of its regular order, on its second reading and passage to engrossment.

S. B. No. 259, A bill to be entitled "An Act to provide for development of State permits and leases and portions of same on river beds and channels by providing for transferring to the State for the use of the available school fund a portion of oil and gas or the value of same produced on the main land adjacent to the river beds and channels; providing for the payment of royalties; for forfeiture, and declaring an emergency."

The Chair laid the bill before the Senate, and it was read second time, the committee report that the bill be not printed was adopted, and it was passed to engrossment.

S. B. No. 260 on Second Reading.

On motion of Senator Bledsoe, by unanimous consent, the regular order of business was suspended and the Senate took up out of its regular order, on its second reading and passage to engrossment.

S. B. No. 260, A bill to be entitled "An Act to reduce the royalty on oil and gas produced in river beds and channels from one-eighth to one-sixteenth, and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time, the committee report that the bill be not printed was adopted and it was passed to engrossment.

S. B. No. 155—House Amendments Concurred In.

Senator Ridgeway called up S. B. No. 155 and moved that the Senate concur in the following House amendments:

Amend S. B. No. 155 by striking out all of Section 3a and insert in lieu thereof a new Section 3a as follows:

Sec. 3a. The members of the commission shall be allowed such compensation as may be fixed by the Legislature in its departmental appropriations bill, not to exceed \$2500.00 annually, which compensation shall be paid from the funds provided for by this Act.

The Chair laid the bill before the Senate, and the House amendments were concurred in.

S. B. No. 101 on Second Reading.

On motion of Senator Parr, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 101, A bill to be entitled "An Act amending Section 31a of an Act passed at the First Called Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act to amend Sections 14, 17, 19, 21, 22, 25, 28, 31, 35, and 40, Chapter 157, of the General Laws of the Thirty-sixth Legislature passed at the Regular Session thereof, being an Act to preserve, propagate, distribute and protect the wild game, wild birds, wild fowl of the State of Texas, to provide adequate penalties for the unlawful taking, slaughter, storage, sale, purchase or shipment thereof, to provide for the appointment of deputy game commissioners and fixing their salaries; to define the duties and powers of the Game, Fish and Oyster Commissioner and his deputies; to fix the venue of prosecution under this Act; to provide for the issuance of hunting license and prescribe penalties for hunting without a license; to declare that certain moneys shall belong to special game fund of this State and the disposition to be made of said moneys, and to repeal all laws in conflict herewith, and declaring an emergency, correcting certain grammatical and typographical errors in said sections and by adding thereto Sections 31a and 31b; providing a closed season on wild female deer and spotted fawns and fixing a limit of three buck deer to be killed during one season by any one person and fixing penalties therefor; providing the manner of transporting lawfully killed deer and fixing penalties for unlawful shipment of deer; and declaring an emergency'; and declaring an emergency."

The bill was read second time.

Senator Parr offered the following amendments to the bill:

(1)

Amend S. B. No. 101 by adding after the word "November," in line 3, Section 31a, in engrossed bill, the following: "Fifteenth."

(2)

Amend S. B. No. 101 by striking out the words "and December," in line 3, Section 31a, an engrossed bill, and insert in lieu thereof the following: "to January 1st."

(3)

Amend S. B. No. 101 by striking

out lines 2 and 3, and all of line 1, after the words "within," and all of line 4, down to the word "until," page 3, engrossed bill, and insert in lieu thereof the following: "The State of Texas."

The amendments were adopted.

S. B. No. 101 was then passed to engrossment.

S. B. No. 101 on Third Reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days in each house was suspended and S. B. No. 101 was put upon its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Cousins.	Strong.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Dudley.	Wirtz.
Fairchild.	Witt.
Holbrook.	Wood.
McMillin.	Woods.

Absent.

Bowers.	Pollard.
Floyd.	Stuart.
Lewis.	

Absent—Excused.

Clark.	Rogers.
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The Chair then laid S. B. No. 101 before the Senate on its third reading and final passage.

The bill was read third time and passed.

S. B. No. 353 on Second Reading.

On motion of Senator Rice, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 353, A bill to be entitled "An Act to amend Article 4364, Revised Civil Statutes of 1911, providing for the bond of the State Treasurer so as to provide for the making of such bond with a surety company and the payment of the expense incident thereto by the State, and to amend Article 4373, Revised Civil Statutes of 1911, providing for the

appointment of a chief clerk and the giving of bond by him, and also providing for the appointment of other employees so as to provide for the appointment of the chief clerk and the giving of a bond by him with a good and solvent surety company, and further to provide for the appointment of other employees and the giving of bonds by each of them, and to require the State to pay the necessary expenses incident to the execution of said bond or bonds; and declaring an emergency."

The bill was read second time and passed to engrossment.

S. B. No. 353 on Third Reading.

On motion of Senator Rice, the constitutional rule requiring bills to be read on three several days in each house was suspended and S. B. No. 353 was put upon its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Pollard.
Baugh.	Rice.
Bledsoe.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

Absent.

Bowers.	Lewis.
Floyd.	

Absent—Excused.

Clark.

The Chair then laid S. B. No. 353 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—27.

Bailey.	Dudley.
Baugh.	Fairchild.
Bledsoe.	Holbrook.
Burkett.	McMillin.
Cousins.	Murphy.
Darwin.	Parr.
Davis.	Pollard.
Doyle.	Rice.

Ridgeway.
Rogers.
Strong.
Stuart.
Thomas.
Turner.

Absent.

Bowers.
Floyd.

Lewis.
Absent—Excused.

Clark.

H. B. No. 495 on Third Reading.

Senator Bailey called up S. B. No. 495, which was read second time tonight and laid on the table subject to call.

The Chair laid the bill before the Senate.

Senator Murphy offered the following amendment to the bill:

Amend H. B. No. 495 by adding the words "Fort Bend."

The amendment was adopted.

Senator Cousins offered the following amendments to the bill:

Amend H. B. No. 495 by striking from the provisions of said bill the counties of Jasper, Newton and Sabine.

Amend H. B. No. 495 by inserting Orange County in said bill.

The amendments were adopted.

H. B. No. 495 was then passed to third reading.

H. B. No. 495 on Third Reading.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days in each house was suspended and H. B. No. 495 was put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Pollard.
Baugh.	Rice.
Bledsoe.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

Absent.

Bowers.
Floyd.

Lewis.
Absent—Excused.

Clark.

The Chair then laid H. B. No. 495 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—27.

Bailey.	Pollard.
Baugh.	Rice.
Bledsoe.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

Absent.

Bowers.
Floyd.

Lewis.
Absent—Excused.

Clark.

H. B. No. 425 on Second Reading.

On motion of Senator Wood, by unanimous consent, the regular order was suspended and the Senate took up out of its order,

H. B. No. 425, A bill to be entitled "An Act to amend Chapter 2 of Title 104 of the Revised Civil Statutes of 1911, as amended by Chapter 32, General Laws, First Called Session, Thirty-fifth Legislature, pertaining to the management and control of the Prison System of this State by adding thereto another article to be known as Article 6231b, so as to exempt the Board of Prison Commissioners, and the members thereof, from giving or making any cost bond, supersedeas bond, writ of error bond, or other bond or security in any civil suit or action heretofore or hereafter brought by or against it, or them, and declaring an emergency."

The Chair laid the bill before the Senate, and it was read second time.

The Senate rule requiring committee reports to lie over one day was

suspended by unanimous consent and the committee report carrying the following amendment was adopted:

Amend H. B. No. 425, as passed by the House, by adding at the end of Section 1 of same bill the following: "except by way of offset or counter claim as provided by said Article 6231a."

H. B. No. 425 was then passed to third reading.

H. B. No. 425 on Third Reading.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days in each House was suspended and H. B. No. 425 was put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Pollard.
Baugh.	Rice.
Bledsoe.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

Absent.

Bowers.	Lewis.
Floyd.	

Absent—Excused.

Clark.

The Chair then laid H. B. No. 425 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—26.

Baugh.	McMillin.
Bledsoe.	Murphy.
Burkett.	Parr.
Cousins.	Pollard.
Darwin.	Rice.
Davis.	Ridgeway.
Doyle.	Rogers.
Dudley.	Strong.
Fairchild.	Stuart.
Holbrook.	Thomas.

Turner.
Watts.
Wirtz.

Witt.
Wood.
Woods.

Present—Not Voting.

Bailey.

Absent.

Bowers.

Lewis.

Floyd.

Absent—Excused.

Clark.

S. B. No. 424 on Second Reading.

On motion of Senator Stuart, by unanimous consent, the regular order was suspended and the Senate took up out of its order.

S. B. No. 424, A bill to be entitled "An Act to create the County Court of Tarrant County for Civil Cases No. 2, and prescribing the jurisdiction thereof, giving said court concurrent jurisdiction with the County Court of Tarrant County for Civil Cases in all matters and causes over which the Court of Tarrant County for Civil Cases has jurisdiction, fixing the salary of the judge of the County Court of Tarrant County for Civil Cases No. 2; providing for the appointment and election of the judge of said court hereby created and providing for the transfer of causes from the dockets of the County Court of Tarrant County for Civil Cases to the dockets of the court hereby created, by the county clerk of Tarrant County and providing for the transfer of causes from the dockets of the County Court of Tarrant County for Civil Cases to the dockets of the court hereby created by the judge of the County Court of Tarrant County for Civil Cases at his discretion; and providing for the transfer of causes from the dockets of the court hereby created to the dockets of the County Court of Tarrant County for Civil Cases by the judge of the court hereby created, at his discretion, and providing for the appointment of an official shorthand reporter who shall be an officer of the court hereby created, and declaring an emergency."

The Chair laid the bill before the Senate, and it was read second time and passed to engrossment.

S. B. No. 424 on Third Reading.

On motion of Senator Stuart the constitutional rule requiring bills to

be read on three several days in each House was suspended and S. B. No. 424 was put upon its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Pollard.
Baugh.	Rice.
Bledsoe.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

Absent.

Bowers.	Lewis.
Floyd.	

Absent—Excused.

Clark.

The Chair then laid S. B. No. 424 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—23.

Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Dudley.	Turner.
Fairchild.	Wirtz.
McMillin.	Witt.
Murphy.	Wood.
Parr.	

Present—Not Voting.

Holbrook.	Woods.
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Absent.

Bailey.	Floyd.
Bowers.	Lewis.
Doyle.	Watts.

S. B. No. 369 on Third Reading.

On motion of Senator Pollard, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 369, A bill to be entitled

"An Act to provide that county judges may authorize the payment of premiums on bonds of guardians, administrators or executors where such bonds are made out of the estate being administered by guardians, administrators or executors."

The Chair laid the bill before the Senate, and it was read third time.

Senator Pollard offered the following amendments to the bill:

(1)

Amend S. B. No. 369 by inserting a new section to be known as Section 2 immediately after Section 1, to read as follows:

Sec. 2. The importance of this bill to the administration of probate matters in the courts of the state and the crowded condition of the calendar and the near approach of the end of the session create an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days be suspended in each house and this bill be placed upon its third reading and final passage and take effect from and after its passage and it is so enacted.

(2)

Amend caption to S. B. No. 369 by adding immediately after said caption the words "and declaring an emergency."

The amendments were adopted.

S. B. No. 369 was finally passed by the following vote:

Yeas—16.

Baugh.	Pollard.
Burkett.	Ridgeway.
Cousins.	Rogers.
Darwin.	Thomas.
Davis.	Turner.
Fairchild.	Witt.
Murphy.	Wood.
Parr.	Woods.

Nays—8.

Bailey.	McMillin.
Bledsoe.	Strong.
Dudley.	Stuart.
Holbrook.	Wirtz.

Absent.

Bowers.	Lewis.
Doyle.	Rice.
Floyd.	Watts.

Absent—Excused.

Clark.

H. B. No. 682 on Second Reading.

On motion of Senator Burkett the constitutional rule requiring bills to be read on three several days in each house was suspended and H. B. No. 682 was put on its second reading and passage to third reading by the following vote:

Yeas—26.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Dudley.	Turner.
Fairchild.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Absent.

Bowers.	Lewis.
Floyd.	Watts.

Absent—Excused.

Clark.

The Chair then laid before the Senate on its second reading and passage to third reading,

H. B. No. 682, A bill to be entitled "An Act to amend Sections 1 and 5 of Chapter 6 of the Special Laws enacted by the Thirtieth Legislature, same being an act creating the B'ard Independent School District in Callahan County, Texas, as amended by Chapter 25 of the Thirty-first Legislature; redefining the boundaries of said district; validating all tax levies now in force; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, the committee report that the bill be not printed was adopted, and H. B. No. 682 was then passed to third reading.

H. B. No. 682 on Third Reading.

On motion of Senator Burkett, the constitutional rule requiring bills to be read on three several days in each house was suspended and H. B. No.

682 was put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Dudley.	Turner.
Fairchild.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Absent.

Bowers.	Lewis.
Floyd.	Watts.

Absent—Excused.

Clark.

The Chair then laid H. B. No. 682 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—26.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Dudley.	Turner.
Fairchild.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Absent.

Bowers.	Lewis.
Floyd.	Watts.

Absent—Excused.

Clark.

S. B. No. 394 on Second Reading.

On motion of Senator Holbrook, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 394, A bill to be entitled "An Act making an appropriation for printing to the State Department of Education to print the necessary

blanks and bulletins pertaining to the scholastic year 1922-1923, and in order that bulletin forms and blanks for the public schools may be prepared as nearly as possible by the opening of the scholastic year 1923-24, and declaring an emergency."

The Chair laid the bill before the Senate, and it was read second time and passed to engrossment.

S. B. No. 394 on Third Reading.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days in each House was suspended and S. B. No. 394 was put upon its third reading and final passage by the following vote:

Yeas—25.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Dudley.	Turner.
Fairchild.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	

Absent.

Bowers.	Watts.
Floyd.	Woods.
Lewis.	

Clark. Absent—Excused.

The Chair then laid S. B. No. 394 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—25.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Dudley.	Turner.
Fairchild.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Murphy.	

Absent.

Bowers.	Watts.
Floyd.	Woods.
Lewis.	

Absent—Excused.

Clark.

S. B. No. 427 on Second Reading.

On motion of Senator Bledsoe, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 427, A bill to be entitled "An Act continuing the work of the State Reclamation Engineer in connection with the defense and prosecution of suits affecting the boundaries of the State of Texas, authorizing the marking of such boundaries, making an emergency appropriation of ten thousand dollars (\$10,000.00) therefor, and declaring an emergency."

The Chair laid the bill before the Senate, and it was read second time and passed to engrossment.

S. B. No. 427 on Third Reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days in each house was suspended and S. B. No. 427 was put upon its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Cousins.	Strong.
Darwin.	Strong.
Davis.	Stuart.
Dudley.	Thomas.
Fairchild.	Turner.
Holbrook.	Wirtz.
McMillin.	Witt.
Murphy.	Wood.

Absent.

Bowers.	Lewis.
Doyle.	Watts.
Floyd.	Woods.

Absent—Excused.

Clark.

The Chair then laid S. B. No. 427 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—24.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Stuart.
Dudley.	Thomas.
Fairchild.	Wirtz.
Holbrook.	Woods.
McMillin.	Turner.
Murphy.	Wood.

Absent.

Bowers.	Lewis.
Doyle.	Watts.
Floyd.	Witt.

Absent—Excused.

Clark.

H. B. No. 551 on Final Passage.

Senator Parr called up H. B. No. 551, relating to Tynan Independent School District, which was read third time on March 7 and laid on the table subject to call.

The Chair laid the bill before the Senate, and it was passed finally by the following vote:

Yeas—24.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Stuart.
Dudley.	Thomas.
Fairchild.	Turner.
Holbrook.	Wirtz.
McMillin.	Wood.
Murphy.	Woods.

Absent.

Bowers.	Lewis.
Doyle.	Watts.
Floyd.	Witt.

Absent—Excused.

Clark.

S. B. No. 218 on Second Reading.

On motion of Senator Murphy, by unanimous consent, the regular or-

der was suspended and the Senate took up out of its order,

S. B. No. 218, A bill to be entitled "An Act to authorize the commissioners' court of the various counties of the State of Texas to employ one or more nurses for the purpose of assisting in the promotion of public health and visiting and inspecting the pupils of the public schools and to appropriate public funds in payment thereof."

The Chair laid the bill before the Senate, and it was read second time and the committee report carrying the following amendment was adopted:

Amend S. B. No. 218 by adding Section 4, which shall read as follows:

"Section 4. Provided that the commissioners court of any county shall not exercise the powers and authority conferred by this Act, unless first authorized by vote of the qualified tax paying electors of the county at an election held for such purpose."

Senator Murphy then moved to strike out all the committee amendments and the motion prevailed.

Senator Murphy offered the following amendment to the bill:

Amend S. B. No. 218 by striking out the words "various counties" and inserting in lieu thereof "counties of a population of 100,000 or more."

The amendment was adopted.

S. B. No. 218 was then passed to engrossment.

S. B. No. 218 on Third Reading.

On motion of Senator Murphy, the constitutional rule requiring bills to be read on three several days in each House was suspended and S. B. No. 218 was put upon its third reading and final passage by the following vote:

Yeas—24.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Parr.
Burkett.	Pollard.
Cousins.	Rice.
Darwin.	Ridgeway.
Davis.	Rogers.
Dudley.	Strong.
Fairchild.	Stuart.
Holbrook.	Thomas.

Turner.
Wirtz.

Wood.
Woods.

Absent.

Bowers.
Doyle.
Floyd.

Lewis.
Watts.
Witt.

Absent—Excused.

Clark.

The Chair laid S. B. No. 218 before the Senate on its third reading and final passage.

The bill was read third time and passed.

S. B. No. 365 on Second Reading.

On motion of Senator Darwin, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 365, A bill to be entitled "An Act to amend Article 3893, Chapter 4, Title 58, of the Revised Civil Statutes of 1911, as amended by the Act of the Thirty-third Legislature, passed at its Regular Session, Chapter 121, Section 1, providing for and regulating the payment of compensation for ex-officio services to certain county officers."

The bill was laid before the Senate, and it was read second time.

Senator Darwin offered the following amendment to the bill:

Amend Senate Bill No. 365, page 972 of the Senate Journal, by striking out of Article 3893 the word "five" between the words "than" and "thousand" and inserting in lieu thereof the word "eight," and by striking out in the same article the following: "and in counties having a population over five thousand, and not more than twenty-five thousand inhabitants, the county attorney shall receive, as compensation for ex-officio services, not less than seventy-five dollars per month."

LEWIS.

S. B. No. 422—Ordered Printed in the Journal.

On motion of Senator Witt, S. B. No. 422, with committee amendments, was ordered printed in the Journal.

H. B. No. 339—Recommitted.

On motion of Senator Murphy, H. B. No. 339 was recommitted to the Committee on Civil Jurisprudence.

S. B. No. 428—Vote Reconsidered.

Senator Wirtz moved that the vote by which S. B. No. 428 was passed be reconsidered, and that motion be spread on the Journal.

The motion prevailed.

Bills Signed.

The Chair (President Pro Tem. R. M. Dudley) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 390.	H. B. No. 600.
S. B. No. 411.	H. B. No. 563.
S. B. No. 402.	H. B. No. 589.
S. B. No. 423.	H. C. R. No. 25.
S. B. No. 362.	H. B. No. 449.
S. B. No. 152.	H. B. No. 519.
S. B. No. 107.	H. B. No. 540.
H. B. No. 168.	S. B. No. 151.
H. B. No. 610.	S. B. No. 128.
H. B. No. 588.	S. B. No. 197.

Bills Read and Referred.

The Chair, President Pro Tem R. M. Dudley, had referred, after their captions had been read, the following House bills:

H. B. No. 469, referred to Committee on Mining, Irrigation and Drainage.

H. B. No. 35, referred to Committee on Finance.

H. B. No. 286, referred to Committee on Finance.

H. J. R. No. 26, referred to Committee on Constitutional Amendments.

H. B. No. 237, referred to Committee on Stock and Stock Raising.

H. B. No. 661, referred to Committee on Judicial Districts.

H. B. No. 685, referred to Committee on Judicial Districts.

H. B. No. 691, referred to Committee on Educational Affairs.

H. B. No. 682, referred to Committee on Educational Affairs.

H. J. R. No. 25, referred to Committee on Constitutional Amendments.

H. B. No. 690, referred to Committee on Civil Jurisprudence.

H. B. No. 188, referred to Committee on Civil Jurisprudence.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following bills:

H. B. No. 682, A bill to be entitled "An Act to amend Sections 1 and 5 of Chapter 6 of the Special Laws enacted by the Thirtieth Legislature, same being an Act creating the Baird Independent School District in Callahan County, Texas, as amended by Chapter 25 of the Thirty-first Legislature; redefining the boundaries of said district; validating all tax levies now in force; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 690.

H. B. No. 691.

H. J. R. No. 25, Proposing amendments to Sec. 5 and 21 and 22 and 23 of Article 4, and Sec. 24 of Article 3 of the Constitution of the State of Texas, and fixing a time for the election to be held on such amendments.

S. B. No. 155, A bill to be entitled "An Act to amend Sections 2 and 3 of Chapter 190 of the Acts of 1917 and adding Sec. 3a, increasing the terms of office for the members of the Board of Highway Commission from two to six years so that one term of office will expire each two years, and providing compensation of \$2,500 per year for members of said Commission," with amendments.

S. B. No. 160, A bill to be entitled "An Act providing for the execution of convicts, condemned to death, by electrocution, prescribing the procedure of such cases; providing the means for accomplishing the purposes of this Act; repealing certain statutes, and all laws or parts of laws in conflict herewith, and declaring an emergency," with amendments.

S. B. No. 343, A bill to be entitled "An Act to amend Sec. 7, Chapter 104, General Laws passed at the Regular Session of the Thirty-seventh Legislature creating and establishing four counties out of the territory embraced in the counties of Cameron, Hidalgo and Willacy, so as to provide for the collection of delinquent taxes in the new county as created and defined in the last paragraph of Section 1 of said Chapter by the proper officer of said county, and declaring an emergency."

House grants the request of the Senate for a Free Conference Committee on S. B. No. 100 and the following committee is appointed on

part of the House: Wallace, Dunn, Blount, Hughes and Irwin.

H. B. No. 188, A bill to be entitled "An Act to establish a system of public roads and bridges for Tarrant County and to empower the commissioners' court thereof to provide rules and regulations therefor, and a system for the construction of such roads and bridges, the maintenance and repair thereof, and to condemn private property for such purposes; to constitute each county commissioner ex-officio commissioner of the public roads and bridges in his precinct, and to prescribe the powers and duties of the county commissioners; to authorize and regulate the issuance and sale of bonds under this act, and to provide other forms of indebtedness, and for the levy of taxes for such purposes, and to allow the issuance of bonds for the purpose of funding or refunding any bonded or other indebtedness heretofore or hereafter incurred by said county; to regulate the expenditure of moneys arising from the sale of such bonds, and from the levy of taxes for roads and bridge purposes; to designate and define certain cardinal roads in the county; to provide for the selection of a county engineer, and for the employment of a consulting engineer; to employ special counsel for the county; to empower the commissioners' court to make such contracts with respect to the construction, maintenance or repair of roads and bridges that may be necessary, and to employ the convicts on said roads, and to provide for the compensation of the commissioners for the performance of their duties under the terms of this Act; and repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 128, A bill to be entitled "An Act to require all locomotives, engines and boilers operated in or near any forest or other land adjacent to forest land, and not equipped to use oil for fuel, to be provided with an efficient device to prevent the escape of sparks and fire; providing such fire prevention devices must be maintained in repair; providing a penalty for non-compliance; providing that no person shall wilfully or negligently cause or permit forest or

other fires that may damage forest growth, and providing a penalty."

S. B. No. 134, A bill to be entitled "An Act to amend Chapter 60 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature as originally enacted, as amended by Chapter 12, General Laws of the First Called Session of the Thirty-fifth Legislature, as amended by the General Laws of the Third Called Session of the Thirty-sixth Legislature by adding thereto fourteen (14) additional sections designated as 15f, 15g, 15h, 15i, 15j, 15k, 15l, 15m, 15n, 15o, 15p, 15q, 15r and 15s. This amendment provides in substance that when cattle or sheep are found to be infected with cattle or sheep scabies, or are exposed or have been exposed thereto, or are upon premises where such scabies are known to have been within a certain period of time, the owners and care-takers thereof shall dip said cattle or sheep in a dip solution provided therefor at certain stated intervals after having first been notified by the Live Stock Sanitary Commission or its chairman to so dip the same. Providing the contents of the notice to be given, providing for hearings to be had upon contest of such dipping order, providing for court review of such hearing; providing for inspection to be had of cattle or sheep and premises by the Live Stock Sanitary Commission or its representatives under certain conditions. Providing for reasonable time after contest of dipping order to be given for the owners or care-takers to comply with said dipping order. Providing that owners and caretakers of such animals shall gather same for inspection and a failure or refusal so to do shall be prima facie evidence that such animals or the premises where same are kept are infected with scabies; providing for disinfection of shearing plants, machinery and implements and the wearing apparel of laborers engaged in shearing sheep infected with scabies or located upon premises under quarantine for sheep scabies and providing manner of such disinfection and fixing penalties for violation thereof; providing for disinfection of premises under quarantine for sheep scabies infection and how the same shall be disinfected and the disinfectant to be used therefor and pro-

viding penalties for failure to so disinfect said premises; providing where the owners and care-takers of cattle or sheep required to be dipped for infection or exposure fail or refuse to dip cattle or sheep when ordered so to do. The commissioners court of the county shall cause said animals to be dipped under the direction and supervision of an authorized inspector or of the Live Stock Sanitary Commission and providing for the payment of expenses out of the general fund of the county and fixing a lien upon the cattle or sheep so dipped in behalf of the county and providing for foreclosure of such lien. Making it unlawful for any person, company or corporation to transport over any public road or railroad or on the lands and premises of another cattle or sheep infected with scabies, prohibiting the importation into this State of sheep except under certain requirements and providing how sheep imported shall be billed and providing penalties for importation of sheep in violation thereof; providing that this act is cumulative of all existing statutes in reference to the quarantine of cattle and sheep or premises for the eradication of cattle and sheep scabies; providing that this Act shall be liberally construed and if any section be declared invalid the remaining parts of the law shall not be affected thereby; repealing Title 36 of the Revised Civil Statutes of 1911 and all laws or parts of laws in conflict with this Act, and declaring an emergency," with amendments.

H. J. R. No. 26, Proposing an amendment to the Constitution as to provide for uniformity and equalization in taxable values for State purposes through a central State board.

S. B. No. 142, A bill to be entitled "An Act to amend Article 7137, of the Revised Statutes of Texas, relating to constables, providing for their elections and terms of office and for the appointment of two deputies in justice precincts of eight thousand inhabitants or more, and for the appointment of five deputies in justice precincts where there is a city in said precinct of one hundred thousand inhabitants or more; and declaring an emergency," with amendments.

S. B. No. 151, A bill to be entitled "An Act to amend Article 3 of Sec.

27 of H. B. No. 17 passed at the First Called Session of the Thirty-third Legislature of the State of Texas; said subdivision to be so amended as to hereafter read as follows:"

H. B. No. 237, A bill to be entitled "An Act to amend Article 6755, Title 116, of the Revised Civil Statutes of Texas, as amended by Act of the Regular Session of the Thirty-sixth Legislature, approved March 31, 1919, and adding to said title Articles 6766b and 6766c; providing for the appointment of additional ranger companies and increasing the membership of the headquarters company; providing for the appointment and commission of bona fide inspectors of statewide live stock associations as rangers; providing for the appointment of an Assistant Attorney General to act as legal adviser to the Adjutant General; appropriating funds to meet the additional expense of such increase in the ranger force, and declaring an emergency."

H. B. No. 661, A bill to be entitled "An Act to amend Section 8 of Chapter 39, General Laws of the Thirty-fourth Legislature, pages 78 to 81, creating the county court of Bexar County for criminal cases; defining its jurisdiction; providing for the payment of a special judge by the commissioners' court out of the treasury of said county, and limiting the time of service of such special judge of not more than forty-five days in any one year; and providing further that the excess over and above forty-five days be deducted from the salary of the regular judge of said court."

H. B. No. 685, A bill to be entitled "An Act amending Chapter 64 of the General Laws of the Thirty-fourth Legislature, passed at its Regular Session, fixing the time for holding court in the Twenty-second Judicial District, and the time for holding the district courts in Austin, Hays and Caldwell counties, and providing an extra term of court each year for the counties of Hays and Caldwell; to repeal all laws in conflict herewith, and declaring an emergency."

The House refuses to grant the request of the Senate for a Free Conference Committee on Senate Bill No. 123.

S. B. No. 40, A bill to be entitled "An Act to regulate the practice of

professional nursing; to create a board of nurse examiners for the examination and licensing of nurses and to prescribe their qualifications, to provide for their proper registration and for the revocation of certificates and to fix suitable penalty for the violation of this Act, to repeal all laws and parts of laws in conflict herewith and declaring an emergency," with amendments.

S. B. No. 107, A bill to be entitled "An Act providing for the appointment of the Banking Commissioner of Texas, fixing the term of his office, official name, compensation and prescribing his qualifications and duties; providing for a seal of office; requiring of the Banking Commissioner of Texas an oath of office and a bond for the faithful discharge of his duties; providing for the appointment of a deputy Commissioner of Banking, defining his duties, fixing their number, salaries and duties; providing for the number of examinations that shall be made by state examiners of state banks, fixing the fees that shall be paid for such examinations and providing how payments for salaries and expenses of examinations shall be made; providing for the appointment of a departmental examiner, prescribing his duties and fixing his compensation; providing for the appointment of a General Liquidating Agent; prescribing his duties and fixing his compensation; amending Chapter 10, General Laws of Texas passed by the First Called Session of the Twenty-ninth Legislature in 1905, being Senate Bill No. 6, and amending Section 38 of said Chapter 10, amending Chapter 205, General Laws of the Thirty-fifth Legislature, passed at the Regular Session in 1917, and amending Section 5 of the Second Called Session of the Thirty-first Legislature, passed in 1909, being Senate Bill No. 4, amending Articles 518, 519, 521, Vernon Sayles' Revised Civil Statutes of the State of Texas amended by the Acts of the Thirty-first Legislature at its Regular Session in 1909, being Section 44 of Chapter 15 of Senate Bill No. 4, Article 221 A Vernon's Sayles' Revised Civil Statutes of Texas, as amended by Chapter 2, 105, Section 7, Acts of the Thirty-fifth Legislature at the Regular Session 1917; repealing all laws and parts of laws in

conflict herewith and declaring an emergency." with amendments.

House has concurred in Senate amendments to H. B. 244 by a vote of 105 yeas, 0 nays.

House refuses to concur in Senate amendments to H. B. 328 and requests the appointment of a free conference committee to adjust the differences. The following committee is appointed on part of the House:

Nelson, Culp, Blount, Jones and Winfree.

House has concurred in Senate amendments to H. B. 136 by 103 yeas, 2 nays.

House has concurred in Senate amendments to H. B. No. 12 by the following vote: 101 yeas, 8 nays.

House has concurred in Senate amendments to H. B. No. 182.

Has failed to finally pass,

S. B. No. 72, A bill to be entitled "An Act to amend Chapter 5, Title 8, of the Code of Criminal Procedure of the State of Texas of 1911, so as to prevent the reversal of criminal cases by the Court of Criminal Appeals upon technicalities and irregularities; and declaring an emergency," by a vote of 59 yeas and 70 nays, and a motion to reconsider was tabled by a vote of 73 yeas, 58 nays.

H. B. No. 286, A bill to be entitled "An Act making an emergency appropriation for the Adjutant General of this State, made necessary by emergencies arising in declaring martial law and administering the Open Port Law in this State, and declaring an emergency."

S. B. No. 197, A bill to be entitled "An Act to amend Section 1 of an Act passed by the Thirty-fourth Legislature of Texas and approved March 22, 1915, creating the Tenth Judicial District of Texas, the same being Chapter 70 of the Acts of the Regular Session of the Thirty-fourth Legislature and to create the Tenth Supreme Judicial District of Texas and to provide for the organization of a Court of Civil Appeals within the said Tenth Supreme Judicial District and to repeal all laws in conflict herewith, and declaring an emergency," with amendments.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk House of Representatives.

Adjournment.

On motion of Senator Cousins, the Senate at 9:30 adjourned until 9 a. m. tomorrow.

APPENDIX.

Committee Reports.

Senate Chamber,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate,

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 239 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate,

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 418 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate,

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 369 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate,

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 430 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate,

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 70 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate,

Sir: We, your Committee on Engrossed Bills, have had Senate Bill

No. 339 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 136, and find the same correctly enrolled and have this day at 10 o'clock a. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 33, and find the same correctly enrolled and have this day at 10 o'clock a. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 52, and find the same correctly enrolled and have this day at 10 o'clock a. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate C. R. No. 22, and find the same correctly enrolled and have this day at 10 o'clock a. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 402 and find the same correctly enrolled and have this day at 4 o'clock p. m. pre-

sented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 141, and find the same correctly enrolled and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 63, and find the same correctly enrolled and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 104, and find the same correctly enrolled and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 281, and find the same correctly enrolled and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 181, and find the same correctly enrolled and have this day at 4 o'clock p. m. pre-

mented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,
Austin, Texas, March 8, 1923.
Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 362, and find the same correctly enrolled and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,
Austin, Texas, March 8, 1923.
Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 152, and find the same correctly enrolled and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,
Austin, Texas, March 8, 1923.
Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 423, and find the same correctly enrolled and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,
Austin, Texas, March 8, 1923.
Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 390, and find the same correctly enrolled and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,
Austin, Texas, March 8, 1923.
Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 411, and find the same correctly enrolled and have this day at 4 o'clock p. m., pre-

mented the same to the Governor for his approval.

DARWIN, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, March 8, 1923.
Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 336, A bill to be entitled "An Act to prevent any person, corporation, partnership, trust estate, or other legal entity, from selling, or offering for sale or causing to be offered for sale, as the publisher thereof and the printer thereof, in the State of Texas, of any newspaper, or other publication representing to be a newspaper, with a circulation of five thousand (5000) copies or over, when such person or legal entity does not own property, not exempt from execution and unincumbered, to an assessed value of \$10,000, within the State of Texas, and providing that when such person or legal entity does not own such property that such person or legal entity shall furnish bond in the sum of \$10,000.00 for every such newspaper sold, or offered to be sold, or caused to be offered for sale, in units or lots under 20,000, either daily or weekly, and a further bond of \$5000.00 for every 10,000 over and above 20,000 or parts thereof, until a maximum bond of \$25,000.00 shall have been furnished, such bond to be approved by the county judge of the county in which such newspaper or publication is published, and to be filed with the county clerk and indexed by him in a special book to be kept for that purpose, and such bond shall run in favor of such county judge, and shall be conditioned that should any judgment be rendered in any court of proper jurisdiction within the State of Texas against such person or legal entity because of alleged libelous statements contained in such newspaper or publication, that such person or legal entity shall pay to the county judge as the property of, and for the use and benefit of, the person recovering such judgment, against the bond, not to exceed the amount of the bond, and fixing a penalty, and declaring an emergency."

Have had the same under con-

sideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Civil Jurisprudence to whom was referred H. B. No. 336, have had same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

BURKETT.
HOLBROOK.
BOWERS.

Committee Room,

Austin, Texas, March 7, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 356, A bill to be entitled "An Act to amend Title 55, Chapter 1, of the Revised Civil Statutes of the State of Texas, of 1911, relating to exemptions by adding thereto four new articles, to be known as Articles 3788-A, 3788-B, 3788-C and 3788-D, as follows: Article 3788-A exempting absolutely and under a certain time limitation, all money or other property, due, payable or accruing upon insurance or indemnity contracts for sickness, disease, disability, accident, infirmity, or old age, from all process for forcible payments of debts of the insured; Article 3788-B exempting all life insurance policies and all values thereof from all such forcible process; Article 3788-C, providing that garnishees in such cases shall not be required to plead or prove such exemptions, and allowing intervention by defendant for such purpose; Article 3788-D, providing that the exemptions named shall not apply in certain cases; and to declare an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 35, A bill to be entitled "An Act to make emergency appropriation to enlarge and make adequate the central heating and power plant and to put a new roof on, repair and paint the Household Arts Building of the College of Industrial Arts, and declaring an emergency."

Have had same under consideration, and I am instructed by the committee to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal.

DUDLEY, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 142, A bill to be entitled "An Act to appropriate the sum of one hundred thousand dollars or as much thereof as may be necessary, out of the revenues of the state, for the erection of an administration building for the Extension Service of the Agricultural and Mechanical College of Texas, and the sum of fifteen thousand dollars out of the general revenues of the state for the repair and remodeling of Gathright Hall."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal.

DUDLEY, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 34, A bill to be entitled "An Act making an appropriation of three hundred thousand dollars to build and equip an administration building at the North Texas State Normal College, Denton, Texas."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do

pass and be printed in the Journal only.

DUDLEY, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 424, A bill to be entitled "An Act to create the county court of Tarrant County for Civil cases No. 2, and prescribing the jurisdiction thereof, giving said court concurrent jurisdiction with the county court of Tarrant County, for Civil Cases in all matters and causes over which the court of Tarrant County for Civil Cases has jurisdiction, fixing the salary of the judge of the county court of Tarrant county for Civil Cases No. 2; providing for the appointment and election of the judge of said court hereby created and providing for the transfer of causes from the dockets of the county court of Tarrant County for Civil Cases to the dockets of the court hereby created, by the county clerk of Tarrant County, and providing for the transfer of causes from the dockets of the county court of Tarrant County for Civil Cases to the dockets of the court hereby created by the judge of the county court of Tarrant County for Civil Cases, at his discretion, and providing for the transfer of causes from the dockets of the court hereby created to the dockets of the county court of Tarrant County for Civil Cases by the judge of the court hereby created, at his discretion and providing for the appointment of an official shorthand reporter who shall be an officer of the court hereby created and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

POLLARD, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 247, A bill to be entitled "An Act to establish and maintain

a State School of Correspondence at Austin, Texas; to provide for all courses of study by correspondence that supply the needs of Texas people; to provide for the appointment of an executive board for same and prescribe their duties; to provide for the appointment of members of the faculty, prescribe their duties and provide for the salaries of members of said faculty and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

Pollard, Bowers, Stuart, Davis.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 348, A bill to be entitled "An Act defining "commission," "public roads," "highways," "railroads," "railroad crossings," "separation of grades," "underpasses," "overpasses," authorizing the State Railroad Commission to curtail the construction of railroad grade crossings and to provide for the elimination of grade crossings already constructed, in certain cases; to authorize the Railroad Commission to conduct hearings and issue orders and decisions in respect to the construction of underpasses and overpasses, and elimination of grade crossings already constructed, authorizing the acquiring of additional right-of-way, providing for the maintenance of underpasses and overpasses, providing for apportionment of the expense of crossings constructed under the provisions of this Act, providing the manner of enforcing the orders issued by the Railroad Commission pursuant thereto, providing right of appeal from the decisions of the Railroad Commission, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, after being amended as follows:

Amend Senate Bill No. 348 by adding after the word "place" and before the word "for," in Section 5, the following words: "within the

county where such grade crossings are located."

FAIRCHILD, Chairman.

Committee Room,
Austin, Texas, March 8, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Penitentiaries, to whom was referred

H. B. No. 425, A bill to be entitled "An Act to amend Chapter 2, of Title 104, of the Revised Civil Statutes of 1911, as amended by Chapter 32, General Laws, First Called Session, Thirty-fifth Legislature, pertaining to the management and control of the prison system of this State by adding thereto another article to be known as Article 6231b, so as to exempt the Board of Prison Commissioners and the members thereof from giving or making any cost bond, appeal bond, supersedeas bond, writ of error bond, or other bond or security in any civil suit or action heretofore or hereafter brought by or against it, or them, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass with the following committee amendment:

Amend H. B. No. 425, as passed by the House, by adding at the end of Section 1 of same bill the following: "except by way of offset or counter claim as provided by said Article 6231a."

LEWIS, Chairman.

Committee Room,
Austin, Texas, March 7, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 674, A bill to be entitled "An Act exempting Travis County for a period of two years from the provisions of Chapter 12, Section 3, Acts of 1917, Third Called Session, as amended by Chapter 87, Section 3, Acts 1918, Fourth Called Session, and providing an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and that it be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 8, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was recommitted S. B. No. 422, beg leave to report same back to the Senate with the recommendation that it do pass, with committee amendments, and that the bill with committee amendments be printed in the Journal.

WITT, Chairman.

Committee Amendment to S. B. No. 422.
Strike out Section 4 and substitute therefor as follows:

Sec. 4. All and singular the railroads and their franchises, properties, rights and privileges of every kind and character so sold shall be bound and liable, upon and after any such sale, to the same extent that each is now bound or liable, and no debt or claim against said companies, or any of them, at the time of such sale, or against any of the properties, franchises, rights or privileges so sold, whether arising upon contract, or from tort or otherwise (other than bonds which may have been cancelled as provided in this Act), shall be in any way affected or impaired by such sale, and any claim, suit or action of any character whatsoever existing by or against either or any of said companies, or against either of said properties so sold, at the time of the sale thereof (other than bonds which may have been cancelled as provided in this Act), shall and may be prosecuted after any such sale in the same manner and to the same effect, and enforce in the same way as if no such sale had been effected; and in any suit which may be filed upon any such claim or cause of action service may be had upon any agent or officer of the company sought to be held liable in said suit, or upon any officer or agent of said St. Louis, San Francisco and Texas Railway Company upon whom service of legal process is authorized by the laws of the State of Texas.

The duties and obligations imposed by Articles 6423 and 6424 of the Revised Civil Statutes of Texas and by Article 6435 of the Revised Civil Statutes of Texas, as amended by Chapter 20 of the Acts of the Thirty-fourth Legislature of Texas, on the International-Great Northern Railroad Company, with respect to the location and maintenance of machine shops and

roundhouses for the operation of the International-Great Northern Railroad, shall be in no wise changed, discharged or defeated by the passage of this Act, but the same shall bind, and shall be enforceable against the St. Louis, San Francisco & Texas Railway Company, after the purchase herein authorized, as to the location and maintenance of the machine shops and roundhouses for the operation of all the railroads and properties now owned by the International-Great Northern Railroad Company, as the same would have bound, and would have been enforceable against the International-Great Northern Railroad Company had it continued to own and operate its railroad.

Committee Room,

Austin, Texas, March 7, 1923.

Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 90, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it be passed and printed in the Journal.

WITT, Chairman.

Committee Room,

Austin, Texas, March 7, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 617, A bill to be entitled "An Act to amend Chapter 35, Acts of the Second Called Session of the Thirty-seventh Legislature, being an Act to amend H. B. No. 23, Chapter 7, page 16, Acts of the Fourth Called Session of the Thirty-sixth Legislature, being an Act relating to the protection of wild birds and wild fowl in the counties of Dimmit, Uvalde, Medina, Zavalla, Gillespie, Blanco, Llano, Kimble, Kerr, Real, Mason, Edwards, Menard, Sutton, Crockett, Bandera, Comal, Hays, Frio, Maverick, Kinney, Val Verde, Terrell, Brewster, Presidio, Jeff Davis, Schleicher, Tom Green, Sterling and

Irion, and changing the time of open season on such wild birds and fowl and providing penalties for the unlawful taking and killing of said wild birds and fowl, and exempting said counties above mentioned from Sec. 5 of Chapter 157 of the General Laws, Thirty-sixth Legislature, passed at its Regular Session, same being H. B. No. 457, Chapter 157 thereof, and declaring an emergency, so as to include the county of Gillespie and exclude the county of Kendall therefrom and to place Gillespie County under the provisions of H. B. No. 131, Chapter 353, Acts of the Second Called Session of the Thirty-seventh Legislature and to place Kendall County under the general law."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and that it be printed in the Journal.

WITT, Chairman.

Committee Room,

Austin, Tex., March 5, 1923.

Hon T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 5, providing for an investigation of the ownership of the stock of the various oil companies doing business in Texas, and to ascertain the business contracts and relationship existing between them, have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that the resolution do pass and be printed in the Journal.

WITT, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 691, A bill to be entitled "An Act to amend Chapter 61 of the special laws of the Thirty-seventh Legislature entitled: 'An Act to Amend House Bill 602, Chapter 21, page 79, of the Local and Special Laws of the Thirty-fifth Legislature passed at its regular session, approved February 23, 1917, creating

Buna Independent School District so as to correct the field notes in said Act and providing for the Buna Independent School District known as Common School District No. 13 in Jasper County, Texas, and defining its boundaries; and to provide for the creating of trustees thereof and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers, and providing authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay current expenses for the maintenance and support of said schools, providing for a board of equalization and prescribing the duty and authority of the board of trustees, declaring valid a maintenance tax heretofore voted, and repealing all laws in conflict herewith insofar as they conflict with this Act,' so as to strike out the words 'and free holders' from Section 6 thereof, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

WOOD,
WIRTZ.

Committee Room, .

Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 682, A bill to be entitled "An Act to amend Sections 1 and 5 of Chapter 6 of the Special Laws enacted by the Thirtieth Legislature, same being an Act creating the Baird Independent School District, in Callahan County, Texas as amended by Chapter 25 of the Thirty-first Legislature; redefining the boundaries of said district; validating all tax levies now, in force; repealing all laws in conflict herewith; and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the

recommendation that it do pass, and, being a local bill, be not printed.

WOOD, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 657, A bill to be entitled "An Act to amend Chapter 92 of the Special Laws of the Regular Session of the Thirty-sixth Legislature, known as an Act to create a more efficient road system for Angelina County, by reenacting Section 8 and adding thereto a new section to be known as Section 8a, and declaring an emergency."

Have had same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass.

Burkett (chairman), Strong, Davis, Holbrook, Ridgeway, McMillin, Cousins.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 637, A bill to be entitled "An Act to amend Section 2 of Chapter 85 of the Local and Special Laws of the State of Texas, passed at the Second Called Session of the Thirty-sixth Legislature, 'An Act creating a more efficient road system for Wichita County, Texas, and making the county commissioners of said county ex-officio road commissioners and prescribing their duties as such; providing for the compensation of such road commissioners and defining the powers and duties of such county commissioners; providing for the maintenance of such part or parts of national and State highways as are in Wichita County; providing for the construction and maintenance of such highways through the corporate limits of incorporated cities and towns in said district; providing for the employment of a county road superintendent and defining the duties of such road superintendent, providing when the commissioners' court of said county shall order an election for the issuance of

bonds for the improvement of public roads, such bond must be designated in said order; providing for the maintenance of roads, constructed with the proceeds of the sale of such bonds; providing for the compensation of county treasurer for handling funds arising from said land sales; providing the character of construction to be used for such roads; providing for eminent domain, making it optional for Wichita County to proceed to condemn land under railroad condemnation statute or to act under general law relative to opening public roads by jury or view; providing for the employment of convicts on county roads; authorizing the commissioners' court to order railway companies to ditch or drain along their rights of way in such manner as to prevent injury to the public highways; providing for liability to the county for damages resulting from hauling heavy loads on such highways; providing penalties for the obstruction or diversion of the flow of rainfall in such manner as to cause damage to the highways of said county; providing for the issuance of bonds in such manner as is provided for by the General Laws of the State of Texas; defining the meaning of the word "road" and "highway"; authorizing the investment of sinking funds of said county in bonds authorized by law; prohibiting county officials of Wichita County from becoming financially interested in contracts of said county and prescribing penalties therefor; repealing all laws and parts of laws in conflict herewith; providing that provisions of this Act are cumulative of the General Laws of the State of Texas when not in conflict herewith; providing for the repeal of Chapter 29 of the General Laws of Texas, approved March 22, 1918, insofar as the same effects Wichita County, and declaring an emergency."

This amendment being for the purpose of providing that the road taxes, general and special, for Wichita County, and the gross registration, chauffeur and transfer fees collected on motor vehicles and the like as now or hereafter provided by law, and paid into the county depository of Wichita County to the credit of its special highway fund shall be distributed among the four commissioners precincts in accordance with the residence or business address of such registrant or owner, and to be expended only upon the consent of the commissioners from whose precinct said funds are to be

transferred, repealing all laws in conflict, and declaring an emergency.

Have had same under consideration, and I am instructed by the committee to report same back to the Senate with the recommendation that it do pass, and, being a local bill, be not printed.

BURKETT, Chairman.

FORTY-THIRD DAY.

Senate Chamber,
Austin, Texas,

Friday, March 9, 1923.

The Senate met at 9 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem R. M. Dudley.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Dudley.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

Absent—Excused.

Clark.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

H. B. No. 328—Conference Committee Appointed.

The Chair (President Pro Tem Dudley) announced the following to serve on the part of the Senate on the conference committee on H. B. No. 328: Senators Baugh, McMillin, Bailey, Strong, Wood.

H. B. No. 18—Point of Order

Before the morning call was concluded, Senator Bledsoe raised the point of order, that under Senate rule 11, subdivision 5, H. B. No. 18 should